EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF ILLINOIS

IN RE DEPAKOTE CASES:

RHEALYN ALEXANDER, et al.,

Plaintiffs,

VS. CASE NUMBER 12-CV-52-NJR-SCW

ABBOTT LABORATORIES, INC., et al.,

Defendants.

Case affected:

A.S., a minor, by MARTHEE SANSONE, individually and as parent and next friend of A.S.

VS. CASE NUMBER 17-CV-793

ABBOTT LABORATORIES, INC.

DEPOSITION OF LINDA A. MOTYKA, Ph.D.

The deposition of Linda A. Motyka, Ph.D., was taken at the law office of Heninger, Garrison & Davis, in Birmingham, Alabama, on November 6, 2017, commencing at 9:00 a.m., before Mitzi Smith, Court Reporter & Notary Public as Commissioner, pursuant to the stipulations set forth herein.

A With the attorneys?
Q Yes.
A No.
Q In your work in the Paxil litigation, did you review the Paxil IND?
A Yes.
Q Did you review the Paxil NDA?
A Parts of it, yes.
Q Did you review correspondence between GFK and FDA?
A Yes.
Q Why did you review correspondence from the GFK and FDA?
A Let me think. Because it was provided to me.
Q Did you rely upon the correspondence at least in part in reaching your opinions in those cases?
MR. GARRISON: Object to the form.
A Maybe.
Q On page 34 of your report, you list documents reviewed/referenced.
A Yes.
Q Is that list complete in terms of the documents that you've reviewed?

A Whatever's in here in Exhibit 1 as well as what may be referenced in my report.
Q Okay. So to the extent it is not listed on Exhibit 1 or referenced in your report, fair to say you haven't looked at it?
A Right. I do believe this is complete.
Q You haven't looked at any deposition transcript of Abbott Company witnesses; correct?
A Correct.
Q And you haven't looked at any trial transcripts for any witness in this litigation, have you?
A Correct.
Q Have you looked at the deposition transcript of any other experts in this litigation?
A No.
Q I see here on page 36, items 43 and 44 are the expert reports of Suzanne Parisian and David Kessler. Do you see that?
A Yes.
Q Why did you review those reports?
A They were given to me.
Q Did you ask for them?

my calculation that's about 250 hours total. Do you know how much of that 250 hours was spent reviewing documents versus writing your report? Can you give me even a percentage breakdown?

A No.

Q On page 32, at the top of page 32, Item 4, additional information requested. When did you request this information?

A What do you mean?

Q Well, when did you request it? Did you request it a week ago, five months ago? When did you request the information?

A This is for in September.

Q So you just pointed to the front page of your report dated September 26th. So you've requested the information on that date?

A Yeah, but that's not for this report. I don't need this information for my report.

Q Why do you need this information?

A For any future work that the attorneys may have in mind. This is just for my information only.

Q As far as you're concerned for the opinions you intend to offer in these cases, it

is not necessary for you to review anything further.

A Correct.

Q The third bullet here says all correspondence between Abbott and FDA on Depakote and birth defects. We talked just a minute ago I think about the fact that you got a couple of pieces of correspondence from either your search on the website or from FOI services; correct? You mentioned you had a few pieces of correspondence through those two means; right?

A And from the drugs at FDA.

Q And other than that, you don't have any other correspondence as between Abbott and FDA; right?

A Not that I can remember.

Q You don't think it's relevant to your opinion to have correspondence between Abbott and FDA on Depakote and birth defects?

A For what I've written here, no. I've gotten everything I need from the public domain.

Q Did you review the labels for any other anti-epileptic drugs before reaching your

information.
Q And other than any scientific publications?
A They had scientific publications on their website.
Q And other than any scientific publications that were on the NAAED website, did you do any other independent -- did you do any independent search of the scientific literature on Depakote or valproic acid?
A Yes, to gain specific documents that I needed, yes.
Q So what were those searches?
A Those searches would have been for the CDC documents relating to the study in Lyon France, so I went on the Internet to get those specific documents.
Q Was that from the CDC website?
A No, that would have been a general search.
Q But that was general in looking specifically for that data?
A Yes, because I was looking for source data.
Q Did you ever go on PubMed prior to

reaching your opinions in this case and do a search for Depakote or valproic acid in birth defects?

A I know I linked to some PubMed articles that I had gotten through my research here, but I did not specifically go on PubMed and type in valproic acid or Depakote.

Q And anything, any scientific articles that you reviewed, any scientific publications that you reviewed are listed in Exhibit 1; correct?

A Or in my report.

Q Other than what's listed in your report or in Exhibit 1, you didn't look at any other scientific articles on Depakote or valproic acid and birth defects, did you?

A I don't believe so. I believe these lists are complete.

Q Complete in the sense that they're representative of what you reviewed; correct?

A I believe so.

Q You haven't reviewed the IND for Depakote, have you? Or any of the Depakote or Depakene, Depacon, have you reviewed any INDs?

A Entire INDs?

Q Well, Stephen Hoff is saying that the FDA was -- told him --

A Starting from, "Given the studies' inability to establish this correlation, the proposed sentence should not be incorporated into labeling. A similar proposed sentence in the patient information leaflet was removed in the approval letter for January 2006."

Q That seems to indicate two different statements; right? One the labeling and one on the patient information leaflet; correct?

A Yes.

Q They're removing both.

A Yes.

Q Okay. I'm going to show you what we're marking as Exhibit 20.

(Defendant's Exhibit 19 was marked for identification.)

Q And this is a May, 21st, 2000 submission from Abbott to the FDA.

A I didn't get a 19. Is that okay?

Q No, you're right. That's actually -- 19 is a May 21st, 2007 submission from Abbott to FDA entitled Request For Advice Regarding Developmental Delay Labeling for Depakote. Do

you see that?
A Yes.
Q And if we just look at the first paragraph, Stephen Hoff says, "Abbott Laboratories previously submitted a labeling change dated April 18th, 2005 for Depakote to include revised information related to developmental delay in the warnings, usage in pregnancy and the patient information leaflet sections. The agency responded to the proposed labeling by email on February 7th, 2006 that the labeling for developmental delay should not be included." And then he repeats the email, and those are the last two documents we looked at, the April '05 submission and the February 2006 email; right?
A Yeah.
Q Okay. Then you will see under that paragraph it says, "Abbott responded by removing the proposed wording and subsequently the labeling revision was approved on October 13th, 2006 without the developmental delay language." You see that?
A Yes.
Q Okay. Abbott goes on to state that

it's, "Continued to monitor the literature and our spontaneous adverse event database for developmental delay associated with valproic acid. We provides an updated analysis of the occurrence of developmental delay in attached white paper which now includes more compelling data from the neurodevelopmental effects of anti-epileptic drug NEAD study. The interim results from the NEAD study are the first data with adequate control from internal IQ using a standard IQ measure and show a significant developmental delay in 185 two year old children exposed to valproic acid during pregnancy." Then if you read further, it says, "Abbott requested the agency review the attached information for the NEAD study and provide advice on the acceptability of these data for use in revised labeling to include developmental delay." And they repeat that statement that they tried to include in 2005. Do you see that?

A Yes.

Q If you flip over one page, you will see another white paper.

A Yes.

Q On neurodevelopmental delay.
A Uh-huh.
Q And again there are -- there is a discussion, and you're welcome to read it, that takes place over until page 6 on the published literature, and on page 6 then continues with Abbott's analysis of its postmarketing database. Do you see that?
A Okay. There's a summary here of literature information postmarketing database.
Q And if you look at page P2.
A I want to read this. Okay. Where are you now?
Q P2 on the white paper. And in the middle of that paragraph above clinical studies and case reports, it says, "Given the pattern of findings in this emerging literature in an abundance of caution, Abbott is requesting advice regarding whether it is now appropriate to add language to the current label regarding the potential risk of NDD, neurodevelopmental delay in offspring exposed in utero to valproate. It is hoped that providing this information can better inform the physician and patient in their risk/benefit analysis of

appropriate medication use and encourage early intervention when developmental delays do occur." Do you see that?

A Yes.

Q And so Abbott is again asking in May of 2007 to add developmental delay information to its label; right?

A Right, but they didn't need to ask. They could have done it. It says here in the back, if you look in the back here, it talks about previous contact with the FDA page 8, and it says that they convened an expert panel of advisors in January 2005 to provide advice on scientific and clinical meaning of the emerging literature. It was not necessary for them to ask before they put information in the labeling.

Q Dr. Motyka, you've seen certainly in response to -- they made a proposal in April of 2005, and that proposal was rejected; correct?

A Yes.

Q Okay. And now they're asking again in May of 2007, they're making that same proposal. Are you aware of the FDA's response to this submission?

A Yes.
Q Other than that has two, you have not read a single published article on the comparative risk of Depakote; correct?
A Correct. I did not read them. I relied on the summary.
(Defendant's Exhibit No. 26 was marked for identification.)
Q I'm going to show you what we're going to mark as Exhibit 26. And I just have one question for you, Doctor, and that's whether or not you've ever seen this study before.
A Not that I recall.
(Defendant's Exhibit No. 27 was marked for identification.)
Q Okay. I'll show you what we're going to mark as Exhibit 27 and ask if you've ever seen this study before.
A Not that I recall, no.
(Defendant's Exhibit No. 28 was marked for identification.)
Q I show you what we're marking as Exhibit 28. And actually for the record, Exhibit 26 is an article by Dravet et al in the Journal of Neurology dated April, 1992. Exhibit 27 is an

article by Kaneko et al also in the Journal of Neurology in April, 1992. And Exhibit 28 is an article by Kaneko et al and CNS drugs, 1995. Have you seen this article before?

A 28?

Q Yes.

A I don't believe so, no.

(Defendant's Exhibit No. 29 was marked for identification.)

Q Exhibit 29 is an article by Lindhout and Omtzigt in Epilepsia 1994. Have you seen this article before, Doctor?

A I don't recall it.

(Defendant's Exhibit No. 30 was marked for identification.)

Q Exhibit 30 is an article by Samren et al in the Journal of Epilepsia dated 1997. Have you seen this article before, Doctor?

A Not that I recall.

(Defendant's Exhibit No. 31 was marked for identification.)

Q Exhibit 31 is a practice parameter published in Epilepsia entitled Management Issues For Women With Epilepsy. Ask you if you've seen this practice parameter before.

before?
A I don't recall it, no.
(Defendant's Exhibit No. 35 was marked for identification.)
Q Exhibit 35 is an article entitled Neurodevelopmental Effects of Anti-Epileptic Drugs By Dr. Meador published in 2002 in epilepsy. Have you seen this before?
A I don't recall this, no.
Q If you turn with me to page 375.
A Of this one?
Q Uh-huh. Yes.
A Yeah.
Q On the right-hand column -- excuse me. On the left-hand column in the middle of the page, the third full paragraph says, "The greatest controversy and most critical unanswered question is whether differential AED effects exist." Do you see that?
A Yes.
Q You have no reason to dispute Dr. Meador's statement published in 2002 about that, do you, Doctor?
MR. GARRISON: Object to the form.
A I don't even know what it relates to

CERTIFICATE

STATE OF ALABAMA

TALLADEGA COUNTY

I, the undersigned, a CSR, RPR, CRR and Notary Public of the State of Alabama at Large, hereby certify that the proceedings in the herein matter were taken at the time and place therein stated; that the proceedings were reported by me, court reporter and disinterested person, and were thereafter transcribed by means of computer-aided transcription; that the foregoing is a complete and true record of said witness.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceedings and caption named, or in any way interested in the outcome of the cause named in said caption.

IN WITNESS WHEREOF set my hand and affixed my seal this 16th day of November, 2017.

Mitzi Smith, ACCR# 117, RPR, CRR
Notary Public State of Alabama

My Commission Expires: August 16, 2018